

ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE

DATE: 12/13/05
START: 2:30pm
END: 2:50pm

DOCKET NO: 05cv1494

CASE: Evans v. Absolute Home Health care

INITIAL CONFERENCE
 DISCOVERY CONFERENCE
 SETTLEMENT CONFERENCE

OTHER/ORDER TO SHOW CAUSE
 FINAL/PRETRIAL CONFERENCE
 TELEPHONE CONFERENCE

tape-recorded

FOR PLAINTIFF:

Robert McCovern

FOR DEFENDANT:

Richard Levin

DISCOVERY TO BE COMPLETED BY _____

NEXT CONFERENCE SCHEDULED FOR _____

JOINT PRE-TRIAL ORDER TO BE FILED VIA ECF BY _____

PL. TO SERVE DEF. BY: _____ DEF. TO SERVE PL. BY: _____

RULINGS: PLEASE TYPE THE FOLLOWING ON DOCKET SHEET

For the reasons stated on the record, defendant shall, by 12/23/05, produce the names and addresses of LPNs supplied by defendant to CABBS Nursing Home, Marcus Garvey Nursing Home, Concord Nursing Home, and Ruby Weston Manor Nursing Home for the last six years, and shall provide the payroll information sought by plaintiff.

Plaintiff's motion to send class



notice to LPNs who worked at all four facilities is denied w/out prejudice, as plaintiff has made no showing at this point that they were all similarly situated. Plaintiff may renew his motion after he receives defendants' discovery responses.

The Court overrules defendant's objection to the temporal scope (i.e. 6-years) of the notice.

Counsel shall confer and, by 12/16/05, submit a joint proposed modified discovery schedule. The 1/4/06 Settlement Conference is adjourned sine die.